

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 6, 2018

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JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 6, 2018

The Senate met in regular session at 10:04 a.m., President Whitver presiding.

Prayer was offered by the Honorable Mark Chelgren, member of the Senate from Wapello County, Ottumwa, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Eric Chelgren.

The Journal of Monday, February 5, 2018, was approved.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 10:08 a.m. until 9:00 a.m., Wednesday, February 7, 2018.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF ADMINISTRATIVE SERVICES

Equal Opportunity Contract Compliance Report, pursuant to Iowa Code section 19B.7. Report received on February 6, 2018.

ATTORNEY GENERAL

Prosecutor Intern Program Annual Report, pursuant to Iowa Code section 13.2.
Report received on February 5, 2018.

DEPARTMENT OF NATURAL RESOURCES

Low-Level Radioactive Waste Compact Report, pursuant to Iowa Code section
457B.1. Report received on February 6, 2018.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Tuesday, February 6, 2018, 1:10 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member;
Bisignano, Boulton, Edler, Garrett, Kinney, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: Petersen (excused).

Committee Business: Subcommittee notices were distributed.

Adjourned: 2:00 p.m.

VETERANS AFFAIRS

Convened: Tuesday, February 6, 2018, 2:35 p.m.

Members Present: Costello, Chair; Rozenboom, Vice Chair; Horn, Ranking Member;
Bowman, Dawson, Edler, Lofgren, Ragan, and Segebart.

Members Absent: Allen and Bertrand (both excused).

Committee Business: Passed SSBs 3052 and 3067.

Adjourned: 2:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, January 11, 2018, 1:00 p.m.

Members Present: Lofgren, Chair; and Dotzler, Ranking Member.

Members Absent: Breitbach, Vice Chair; Allen, and Greene (all excused).

Committee Business: Organizational meeting.

Adjourned: 1:30 p.m.

ALSO:

Convened: Wednesday, January 17, 2018, 10:10 a.m.

Members Present: Lofgren, Chair; Breitbach, Vice Chair; Dotzler, Ranking Member; and Greene.

Members Absent: Allen (excused).

Committee Business: Organizational meeting.

Adjourned: 11:25 a.m.

ALSO:

Convened: Thursday, January 18, 2018, 10:05 a.m.

Members Present: Lofgren, Chair; Dotzler, Ranking Member; Allen, and Greene.

Members Absent: Breitbach, Vice Chair (excused).

Committee Business: Organizational meeting.

Adjourned: 11:20 a.m.

ALSO:

Convened: Wednesday, January 24, 2018, 10:05 a.m.

Members Present: Lofgren, Chair; Breitbach, Vice Chair; Dotzler, Ranking Member; Allen, and Greene.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:30 a.m.

ALSO:

Convened: Thursday, January 25, 2018, 10:05 a.m.

Members Present: Lofgren, Chair; Breitbach, Vice Chair; Dotzler, Ranking Member; Allen, and Greene.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:15 a.m.

ALSO:

Convened: Wednesday, January 31, 2018, 10:05 a.m.

Members Present: Lofgren, Chair; Breitbach, Vice Chair; Dotzler, Ranking Member; Allen, and Greene.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:05 a.m.

ALSO:

Convened: Thursday, February 1, 2018, 10:05 a.m.

Members Present: Lofgren, Chair; Breitbach, Vice Chair; Dotzler, Ranking Member; Allen, and Greene.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, January 17, 2018, 10:00 a.m.

Members Present: Kraayenbrink, Chair; Carlin, Vice Chair; Danielson, Ranking Member; Quirnbach, and Schultz.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:30 a.m.

ALSO:

Convened: Thursday, January 25, 2018, 10:05 a.m.

Members Present: Kraayenbrink, Chair; Carlin, Vice Chair; Danielson, Ranking Member; Quirnbach, and Schultz.

Members Absent: None.

Committee Business: Presentation from Director Deborah Reed of the Iowa Reading Research Center.

Adjourned: 10:40 a.m.

ALSO:

Convened: Wednesday, January 31, 2018, 10:10 a.m.

Members Present: Kraayenbrink, Chair; Carlin, Vice Chair; Danielson, Ranking Member; Quirmbach, and Schultz.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, January 17, 2018, 10:10 a.m.

Members Present: Chelgren, Chair; Dawson, Vice Chair; Dvorsky, Ranking Member; Garrett and Hogg.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:00 a.m.

ALSO:

Convened: Wednesday, January 24, 2018, 10:05 a.m.

Members Present: Chelgren, Chair; Dawson, Vice Chair; Dvorsky, Ranking Member; Garrett and Hogg.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:30 a.m.

ALSO:

Convened: Thursday, January 25, 2018, 10:00 a.m.

Members Present: Chelgren, Chair; Dawson, Vice Chair; Dvorsky, Ranking Member; Garrett and Hogg.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:20 a.m.

ALSO:

Convened: Wednesday, January 31, 2018, 10:15 a.m.

Members Present: Chelgren, Chair; Dawson, Vice Chair; Dvorsky, Ranking Member; Garrett and Hogg.

Members Absent: None.

Committee Business: Presentation by Major General Timothy Orr.

Adjourned: 11:00 a.m.

INTRODUCTION OF RESOLUTIONS

[Senate Joint Resolution 2004](#), by Chelgren, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the composition of the militia and the rights of militia members.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate Resolution 107](#), by Garrett, a resolution for recognizing the 50th anniversary of municipal home rule in Iowa.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

[Senate File 2177](#), by committee on Commerce, a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2178](#), by committee on Commerce, a bill for an act prohibiting pyramid promotional schemes and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2179](#), by committee on Judiciary, a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2180](#), by committee on Judiciary, a bill for an act relating to the possession of marijuana, and providing a penalty.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2181](#), by committee on Judiciary, a bill for an act prohibiting the mistreatment of animals other than livestock and wild animals, providing for the rescue of animals by local law enforcement agencies, providing for criminal offenses and court orders, and including penalties.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2182](#), by Brown, a bill for an act relating to association health plans, a type of multiple employer welfare arrangement, established by bona fide associations of employers and including contingent effective provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 2183](#), by Danielson, a bill for an act relating to the operation of authorized emergency vehicles and snow plows, and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Transportation**.

[Senate File 2184](#), by Hart, a bill for an act establishing a peer support respite house pilot program, and making an appropriation.

Read first time under Rule 28 and referred to committee on **Appropriations**.

[Senate File 2185](#), by Boulton, a bill for an act relating to the choice of doctor to treat injured employees under workers' compensation laws and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

[Senate File 2186](#), by Boulton, a bill for an act concerning employment matters involving public employees including collective bargaining, educator employment matters, personnel records and settlement agreements, city civil service requirements, and health insurance matters, and including effective date, applicability, and transition provisions.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

STUDY BILLS RECEIVED

[SSB 3145](#) **Agriculture**

Regulating the sale of eggs by grocery stores participating in federal programs, and providing for penalties.

[SSB 3146](#) **State Government**

Relating to the practice of pharmacy, including the administration of certain drugs and vaccines and the establishment of technician product verification programs.

[SSB 3147](#) **Transportation**

Relating to motor carriers, and making penalties applicable.

[SSB 3148](#) **Veterans Affairs**

Relating to assistance animals, assistive animals, and service dogs and providing penalties for misrepresenting oneself as entitled to an assistance animal or an assistive animal in housing and for misrepresenting an animal as a service dog.

SSB 3149 Veterans Affairs

Relating to school district residency for children of United States military persons who reside on and are employed at certain federal military installations.

SSB 3150 Ways and Means

Providing an individual income tax deduction for income resulting from the payment by an employer of principal or interest on a qualified educational loan of a taxpayer, and including applicability provisions.

SSB 3151 Ways and Means

Creating the tax return preparer oversight Act to establish a tax return preparer oversight board to regulate tax return preparers, modifying the powers and duties of the director of revenue, and providing penalties.

SSB 3152 Ways and Means

Relating to the assessment and taxation of telephone and telegraph company property for certain assessment years and including effective date and applicability provisions.

SSB 3153 Ways and Means

Relating to fees established and collected by the county treasurer at a tax sale and including applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 2004**

JUDICIARY: Schultz, Chair; Edler and Taylor

Senate File 2049

NATURAL RESOURCES AND ENVIRONMENT: Rozenboom, Chair; D. Johnson and Shipley

Senate File 2151

AGRICULTURE: Edler, Chair; Costello and Ragan

[Senate File 2160](#)

EDUCATION: Edler, Chair; Bowman and Lofgren

[Senate File 2161](#)

WAYS AND MEANS: Feenstra, Chair; Brown and Hogg

[Senate File 2174](#)

EDUCATION: Chelgren, Chair; Bowman and Kraayenbrink

[SSB 3145](#)

AGRICULTURE: Zumbach, Chair; Bowman and Brown

[SSB 3146](#)

STATE GOVERNMENT: Schultz, Chair; Carlin and Horn

[SSB 3147](#)

TRANSPORTATION: Brown, Chair; Bowman and Breitbach

[SSB 3148](#)

VETERANS AFFAIRS: Dawson, Chair; Allen and Edler

[SSB 3149](#)

VETERANS AFFAIRS: Lofgren, Chair; Bowman and Rozenboom

[SSB 3150](#)

WAYS AND MEANS: Feenstra, Chair; Behn and Quirmbach

[SSB 3151](#)

WAYS AND MEANS: Feenstra, Chair; Edler and Jochum

[SSB 3152](#)

WAYS AND MEANS: Feenstra, Chair; Bolkcom and Schultz

[SSB 3153](#)

WAYS AND MEANS: Smith, Chair; Feenstra and McCoy

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: [SENATE FILE 2177](#) (formerly [SF 2054](#)), a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Chapman, Breitbach, Allen, Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2178 \(SSB 3051\)](#), a bill for an act prohibiting pyramid promotional schemes and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Chapman, Breitbach, Allen, Feenstra, Guth, C. Johnson, Lykam, Sinclair, Zaun, and Zumbach. Nays, 4: Boulton, Mathis, McCoy, and Petersen. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: [SENATE FILE 2179](#) (formerly [SF 2105](#)), a bill for an act relating to the possession of contraband in or on the grounds of a community-based correctional facility, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 2180](#) (formerly [SF 432](#)), a bill for an act relating to the possession of marijuana, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, and Sinclair. Nays, none. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2180](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 2181](#) (formerly [SF 421](#)), a bill for an act prohibiting the mistreatment of animals other than livestock and wild animals, providing for the rescue of animals by local law enforcement agencies, providing for criminal offenses and court orders, and including penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Zaun, Dawson, Taylor, Bisignano, Boulton, Kinney, Petersen, and Schneider. Nays, 4: Edler, Garrett, Schultz, and Sinclair. Absent, 1: Shipley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2181](#), and they were attached to the committee report.

APPOINTED POSITIONS

The following lists of appointed positions, requiring action pursuant to Iowa Code Section 2.32(7), were submitted to the Secretary of the Senate:

BY THE GOVERNOR

NUMBER OF POSITIONS

ADMINISTRATOR OF THE ALCOHOLIC BEVERAGES DIVISION	1
DRUG POLICY COORDINATOR	1
ADMINISTRATOR OF THE STATE RACING AND GAMING COMMISSION	1
ACCOUNTANCY EXAMINING BOARD	3

COMMISSION ON THE STATUS OF AFRICAN AMERICANS	2
AGRICULTURAL DEVELOPMENT BOARD	1
ALCOHOLIC BEVERAGES COMMISSION	1
ARCHITECTURAL EXAMINING BOARD	3
COMMISSION OF ASIAN AND PACIFIC ISLANDER AFFAIRS	4
BOARD OF ATHLETIC TRAINING	4
IOWA AUTISM COUNCIL	5
BOARD OF BARBERING	3
BOARD OF BEHAVIORAL SCIENCE	3
COMMISSION FOR THE BLIND	1
BOILER AND PRESSURE VESSEL BOARD	4
IOWA CAPITAL INVESTMENT BOARD	1
CHILD ADVOCACY BOARD	4
BOARD OF CHIROPRACTIC	3
CITY DEVELOPMENT BOARD	2
COMMISSION ON COMMUNITY ACTION AGENCIES	4
BOARD OF CORRECTIONS	1
BOARD OF COSMETOLOGY ARTS AND SCIENCES	1
CREDIT UNION REVIEW BOARD	3
CRIMINAL AND JUVENILE JUSTICE PLANNING ADVISORY COUNCIL	7
BOARD OF DENTISTRY	3
BOARD OF DIETETICS	2

IOWA DRUG POLICY ADVISORY COUNCIL	2
EARLY CHILDHOOD IOWA STATE BOARD	9
ECONOMIC DEVELOPMENT AUTHORITY	4
STATE BOARD OF EDUCATION	3
STATE BOARD OF EDUCATIONAL EXAMINERS	2
ELECTRICAL EXAMINING BOARD	6
ELEVATOR SAFETY BOARD	3
EMPLOYMENT APPEAL BOARD	1
ENGINEERING AND LAND SURVEYING EXAMINING BOARD	2
ENHANCE IOWA BOARD	6
IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD	1
FLOOD MITIGATION BOARD	2
IOWA GREAT PLACES ADVISORY BOARD	4
HEALTH FACILITIES COUNCIL	1
HEALTHY AND WELL KIDS IN IOWA BOARD (HAWK-I)	2
BOARD OF HEARING AID SPECIALISTS	2
HIGHER EDUCATION LOAN AUTHORITY	1
HUMAN SERVICES COUNCIL	1
INTERIOR DESIGN EXAMINING BOARD	4
INVESTMENT BOARD OF THE IPERS	1
STATE JUDICIAL NOMINATING COMMISSION	2
LANDSCAPE ARCHITECTURAL EXAMINING BOARD	3
LATINO AFFAIRS COMMISSION	4
LAW ENFORCEMENT ACADEMY COUNCIL	4
IOWA LOTTERY AUTHORITY BOARD OF DIRECTORS	2

BOARD OF MASSAGE THERAPY	1
BOARD OF MEDICINE	3
MENTAL HEALTH AND DISABILITY SERVICES COMMISSION	6
MENTAL HEALTH RISK POOL BOARD	7
BOARD OF MORTUARY SCIENCE	2
COMMISSION OF NATIVE AMERICAN AFFAIRS	5
BOARD OF NURSING	1
BOARD OF NURSING HOME ADMINISTRATORS	5
BOARD OF OPTOMETRY	2
BOARD OF PAROLE	3
PEACE OFFICERS' RETIREMENT ACCIDENT AND DISABILITY SYSTEMS TRUSTEE	1
COMMISSION OF PERSONS WITH DISABILITIES	6
BOARD OF PHARMACY	2
BOARD OF PHYSICAL AND OCCUPATIONAL THERAPY	1
BOARD OF PHYSICIAN ASSISTANTS	3
PLUMBING AND MECHANICAL SYSTEMS BOARD	3
BOARD OF PODIATRY	5
BOARD OF PSYCHOLOGY	4
PUBLIC EMPLOYMENT RELATIONS BOARD	1
IOWA PUBLIC INFORMATION BOARD	5
STATE RACING AND GAMING COMMISSION	2
REAL ESTATE APPRAISER EXAMINING BOARD	3
REAL ESTATE COMMISSION	3
BOARD OF RESPIRATORY CARE	3
BOARD OF SIGN LANGUAGE INTERPRETERS AND TRANSLITERATORS	4

BOARD OF SOCIAL WORK	2
BOARD OF SPEECH PATHOLOGY AND AUDIOLOGY	3
COMMISSION ON THE STATUS OF WOMEN	4
TECHNOLOGY ADVISORY COUNCIL	1
IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION	1
COMMISSION ON TOBACCO USE PREVENTION AND CONTROL	2
TRANSPORTATION COMMISSION	2
COMMISSION OF VETERANS AFFAIRS	3
IOWA BOARD OF VETERINARY MEDICINE	2
IOWA WORKFORCE DEVELOPMENT BOARD	6

AMENDMENT FILED

[S-5002](#)[S.F. 2164](#)Tim Kraayenbrink
Amy Sinclair